

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE COURTHOUSE**

ERIC ANTHONY DEL REAL, an
individual,

Plaintiff,

v.

STARBUCKS, INC., a Washington
corporation; and DOES 1 to 50,
inclusive,

Defendants.

Case No. 5:12-cv-00770 EJD

**~~[PROPOSED]~~ ORDER ON JOINT
STIPULATION TO CONTINUE
MEDIATION, EXPERT
DESIGNATION CUT-OFF
DEADLINE**

Complaint Filed: December 29, 2011

[Lodged concurrently with Joint
Stipulation and Supporting Declaration
of Sarah E. Hernandez]

~~[PROPOSED]~~ ORDER

Please take notice that on October 9, 2012, the Joint Stipulation entered into by and among PLAINTIFF ERIC ANTHONY DEL REAL (“Del Real” and/or “Plaintiff”) and DEFENDANT STARBUCKS, INC. (“Starbucks” and/or “Defendant”), by and through their respective counsel, and supporting Declaration of Plaintiff’s counsel Sarah E. Hernandez, came before this Court for review, the Honorable Edward J. Davila presiding.

Pursuant to the Joint Stipulation and accompanying Declaration, the Court takes note of the following facts:

1. Plaintiff filed his Complaint on or around December 29, 2011, in Monterey County Superior Court of the State of California, alleging causes of action for sexual discrimination and wrongful termination, as well as related causes of action;
2. This matter was removed to federal court on or around February 17, 2012;
3. this matter was reassigned to this District Court on or around April 20, 2012;
4. This Court issued a Case Management Order on August 20, 2012, ordering the parties to designate experts on or by November 1, 2012, and to complete mediation on or by November 19, 2012;
5. the parties have since agreed to mediate this matter with mediator Nikki Tolt, which mediation was originally scheduled to take place on October 12, 2012;
6. Plaintiff's counsel Sarah E. Hernandez has since started trial in one other matter on October 1, 2012, and she has a second matter scheduled to begin on October 15, 2012, such that she will be unable to attend mediation in this matter until these trials' conclusion;
and
7. There have been no prior continuance requests in this matter.

After full consideration of the evidence and the authorities submitted by counsel, and all pleadings and papers on file in this action, and upon such other matters as were presented to the Court, the Court hereby rules as follows:

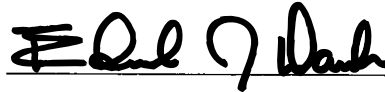
1. The parties' Mediation Cut-Off Deadline shall be moved thirty (30) calendar days from November 19, 2012, to December 19, 2012.
2. The parties' Expert Designation Cut-Off Deadline shall be moved forward from November 1, 2012, to January 18, 2013, which is thirty (30) calendar days after the new mediation cut-off deadline.

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: October 10, 2012

By:



THE HONORABLE EDWARD J. DAVILA
U.S. DISTRICT COURT JUDGE

Respectfully submitted by:

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Attorneys for Defendant
STARBUCKS, INC.

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 11500 W. Olympic Boulevard, Suite 316, Los Angeles, California, 90064.

On October 5, 2012, I served the document described as **[PROPOSED] ORDER ON JOINT STIPULATION TO CONTINUE MEDIATION, EXPERT DESIGNATION CUT-OFF DEADLINE** all interested parties in this action as follows:

☒ by placing ☐ the original ☒ true copies thereof enclosed in sealed envelopes addressed as follows:

Gregory K. Knopp
Gloria C. Jan
Christopher K. Petersen
AKIN GUMP STRAUSS HAUER &
FELD LLP
2029 Century Park East, Suite 2400
Los Angeles, CA 90067

☒ (BY MAIL) As follows: I am "readily familiar" with the firm's practice for collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ (BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

☐ (BY FACSIMILE) Using fax number (310) 268-0790 I transmitted such document by facsimile machine, pursuant to California Rules of Court 2001 et seq. The facsimile machine complied with Rule 2003(3). The transmission was reported as complete. I caused the machine to print a transmission report of the transmission, a copy of which is attached to this declaration. I am employed in the County of Los Angeles, State of California.

☐ (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Dated: October 5, 2012


Heather Silldort